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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Marcus Duarte,

10 Plaintiff,

11 v.

12 County of Maricopa, et al.,

13 Defendants.
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No. CV-19-05259-PHX-GMS (ESW)

ORDER

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16 Pending before the Court is the Report and Recommendation (“R&R”) (Doc. 19) of
17 United States Magistrate Judge Eileen S. Willett recommending Defendant MCSO Floor
18 Officer 1 be dismissed without prejudice for Plaintiff’s failure to timely substitute and
19 prosecute pursuant to Fed. R. Civ. P. 41(b). Plaintiff does not oppose the dismissal (Doc.
20 18). Accordingly, the Court will dismiss Defendant MCSO Floor Officer 1 without
21 prejudice.

22 **IT IS HEREBY ORDERED** that Magistrate Judge Eileen S. Willett’s Report and
23 Recommendation (Doc. 19) is **ACCEPTED** and Defendant MCSO Floor Officer 1 is
24 **DISMISSED** without prejudice.

25 Dated this 3rd day of August, 2020.

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28 G. Murray Snow
Chief United States District Judge

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